

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

JOHN LEE LAYTON,

Plaintiff,

v.

ROBERT BRUCE BANNISTER,

Defendant.

3:10-cv-00443-LRH-WGC

ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge William G. Cobb (#55¹) entered on September 28, 2012, recommending granting Defendant's Motion for Summary Judgment (#43) filed on April 30, 2012. Plaintiff filed his Objections to Magistrate Judge's Report and Recommendation (#60) on November 6, 2012, and Defendant filed his Opposition to Plaintiff's Objections to Magistrate Judge's Report and Recommendation (#61) on November 16, 2012. This action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiff, the response of the Defendant, the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule IB 3-2. The Court

¹Refers to court's docket number.

1 has also fully considered Layton's Motion for Court to Take Judicial Notice (#53) and the Magistrate
2 Judge's Order (#59) denying that motion, which addresses issues related to the Court's de novo review
3 in this case. The Court determines that the Magistrate Judge's Report and Recommendation (#55)
4 entered on September 28, 2012, should be adopted and accepted.

5 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#55)
6 entered on September 28, 2012, is adopted and accepted, and Defendant's Motion for Summary
7 Judgment (#43) is GRANTED.

8 IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment accordingly.

9 IT IS SO ORDERED.

10 DATED this 30th day of January, 2013.



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13 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
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